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PETITION

OF THE

SONS AND GRAND CHILDREN

OF THE LATE

JOSEPH BOUCHETTE,

IN HIS LIFE TIME

SURVEYOR GENERAL OF LOWER CANADA,

TO

HIS EXCELLENCY THE GOVERNOR GENERAL,

THE SENATE, AND THE HOUSE OF COMMONS

OF THE

DOMINION OF CANADA

IN PARLIAMENT ASSEMBLED.

OTTAWA:
JANUARY, 1871.

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To His Excellency The Right Honorable
John, Baron Lisgar, G.C.B. - G.C.M.G.
Governor General of the Dominion of Canada
&c &c &c

The Petition of Joseph Bouchette, on his own behalf, and on the behalf of others, the Children and Grand-Children of the late Joseph Bouchette, in his lifetime Surveyor General of the Province of Lower Canada, now the Province of Quebec,

HUMBLY SHEWETH,

That the said late Joseph Bouchette, on the faith of a vote of the Legislative Assembly of Lower Canada, in General Committee, granting to the said Joseph Bouchette a sum of £1,500, to aid and encourage him in a large public geographical and topographical undertaking, published in 1815 extensive maps of the Canadas, and of the other British possessions in North America, which cost him upwards of £4,000 sterling.

Journals of the House of Assembly of L. C. 23 Feb., 1814. 14 " 1827.

That, although it was universally acknowledged that the said Joseph Bouchette had not only fulfilled his obligation, but exceeded in the execution of his work, the engagements he had taken both with the Legislature and the public, he was actually paid no more than £500 out of £1,500 so voted, upon which he had fully relied, esteeming a vote of the whole House in Committee as tantamount to a pledge that he would receive Legislative support to that extent.

Idem 4th Mar. 1817. Evidence of Thos. Lee, Esq., M. P. Journals Ho. As. L. C. 14 Feb., 1827. pp. 145-6 Appendix hereto annexed.

That, immediately after the passing of the said vote of the 23d February, 1814, the said Joseph Bouchette, at considerable pains and expense to himself went vigorously to work in the prosecution of his undertaking by travelling through the Province, accumulating further maps and documents, and obtaining statistical information through the means of wide spread circulars; and early in June following, he sailed for England in His Majesty's ship *Ajax*, with his voluminous M.S., maps and documents, to place his work in the hands of British artists for publication.

That, after the maps had been engraved in England, under the personal supervision of the author, and after the whole work was accomplished and laid before the Legislature and the country, the said Joseph Bouchette humbly and repeatedly petitioned the Legislature to obtain the balance of the said vote of £1,500, representing how deeply the publication had involved him, and

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how ruinous his losses would be should the contemplated and pledged Legislative support be withheld from him.

Journals Ho. Ass. L. C. 4 Mar., 1817. 16 Jan., 1818. 15 Mar., 1819. 17 Ap'l., 1819. 28 Feb'y 1821. 7 Mar., 1821. 14 Feb'y 1827.

Address of the Ho. to the Duke of Richmond, G.G. 17 Ap'l., 1819. See Appendix.

That the House of Assembly of Lower Canada never denied the justice and equity of the said Joseph Bouchette's claim, but on the contrary, in repeated Reports of Committees and in Addresses to the Executive Government of the Province, acknowledged in strong and emphatic terms that the claim of the said Joseph Bouchette, to be indemnified for his services and losses, was just and reasonable; but the House considered that such indemnity and remuneration should be given to the said Joseph Bouchette in the shape of a grant of the waste lands of the Crown, and unanimously recommended him by address to the Government with that view, as may be more fully seen by a reference to the Journals of the House of Assembly of Lower Canada.

Message of the Earl of Dalhousie, G.G. 28 Feb., 1821. See Appendix.

That, on the other hand, the Executive Government of the Province was equally ready to admit the justice and reasonableness of the said Joseph Bouchette's claim; but merely differed with the House as to the mode of meeting that claim, deeming a vote of money a more proper form of indemnity than a grant of land.

That at the demise of the said Joseph Bouchette, in 1841, after having devoted nearly fifty years of his life in the Naval, Military and Civil branches of the public service under the Crown in Canada, the above claim remained yet unsettled, although pending for more than twenty-five years, and fully acknowledged by two branches of the Provincial Legislature.

Vide Appendix.

That the said late Joseph Bouchette, in consequence of the losses sustained by him in the publication of the large and important geographical works with which he has endowed his native country, died involved, having sacrificed, for the production of such works (the high character and usefulness of which are to this day universally admitted), large estates, that would amply have provided for his widow and family after his death.

That your Petitioners, believing that the Legislature of the Province of Quebec, heretofore the Province of Lower Canada, was the proper and specific tribunal before which the present claim should be brought, appealed to the Government and Legislature of that Province during its recent Session, praying by their humble petition that the unsettled claim of the late Joseph Bouchette as above stated, should be taken into their favorable consideration, and that your Petitioners, as the children and grand-children, representing their late father, Joseph Bouchette, would be allowed the benefit of that claim, the irrefragable justice, and reasonableness of which had been, as aforesaid, solemnly recognized and admitted both by the Executive Government and by the House of Assembly of Lower Canada, and that they would in their wisdom and justice award and confirm to your Petitioners the grant of the said sum of £1,000, claimed by the said late Joseph Bouchette, in his lifetime, for his public services and losses, and as for work and labor, care and diligence bestowed, and for money paid, laid out, and expended in and about the compilation, completion and publication of the geographical and topographical maps, and topogra-

phical description of Canada in 1815, under the circumstaaces and in the manner set forth in and by Journals of the House of Assembly of Lower Canada, and that they would further graciously award and grant such additional compensation for and on account of the deferred payment of the said sum of £1,000, as might appear consistent with the principle of right, justice, and equity. Vide Appendix.

That the Hon. Member for Gaspé, who presented the said Petition in the Legislative Assembly of Quebec, having moved for a reference of the Petition to a special Committee, the Hon. Member for the County of Quebec, who is at the head of the Provincial Administration of that Province rose, and after dwelling in most eulogistic terms on the public works of the said late Joseph Bouchette, and on their usefulness to the country, and whilst fully admitting and recognizing the validity of the claim preferred by the Petitioners, he informed the House that in his opinion that claim should be preferred before the House of Commons of Canada, inasmuch as Upper Canada having shared in the assets to the credit of Lower Canada at the time of the Union (in 1841), that Province—now the Province of Ontario—should pay its proportion of this debt, through the intervention of the Federal Government—whereupon the said motion for the reference of the said Petition to a special Committee was, at the suggestion of the Hon. Member at the head of the Provincial Government, withdrawn.

Wherefore your Petitioners, yielding to the views expressed in the Legislative Assembly of the Province of Quebec, humbly approach Your Excellency and invoke the intervention of the Federal Parliament of the Dominion as the highest tribunal to which an appeal can be made for the adjustment and liquidation of a claim of acknowledged justice and validity as hereinabove disclosed; and strong in the conviction that the public works of the late Joseph Bouchette—(not those only of the year 1815, upon which is based the special claim referred to, but his still more extended works of 1831)—are not of a merely Provincial but are in truth of a national character, embracing the delineation and topography of the Provinces at large which now compose the Dominion of Canada; and believing that his labours have largely contributed to disseminate abroad a knowledge of the wealth and resources of the B. N. A. possessions, and have been the basis of the present advanced state of geographical and topographical science and art in Canada, your Petitioners humbly pray that Your Excellency will in Your justice, liberality, and wisdom, be pleased to grant and confirm to them as the heirs and representatives of the said late Joseph Bouchette, the said sum of £1,000, together with such further sum, by way of compensation for deferred payment, as may comport with the principles of right and equity.

And, as in duty bound, your Petitioners will ever pray.

W. L. Bouchette
for himself and on the behalf of
Saml L. Bouchette and
R. S. M. Bouchette; and also of
Francis Baines Bouchette &
Constance Hodgetts representing
their late Father John A. Bouchette
late H. M. 68th Light Infantry

OTTAWA,

APPENDIX.

Extracts from the Journal of the Legislative Assembly of Lower Canada, in reference to the claims of the late Joseph Buchette, Surveyor General, for indemnity, as set forth in the foregoing Petition.

HOUSE OF ASSEMBLY.
Wednesday, 23rd February, 1814.

"IN COMMITTEE OF THE WHOLE HOUSE, on the Report of the Special Committee, "to which was referred the Petition of Joseph Bouchette, Surveyor General:

"MR DENECHAU called to the chair.

"On motion of Mr. Taschereau, seconded by Mr. Lee,

"RESOLVED that is is the opinion of the Committee, that a sum of *fifteen hundred* "*pounds* Currency be employed under the direction of Commissioners, to encourage and "aid Joseph Bouchette, Esquire, to publish the Topographical and Geographical Maps "of the Province."

From the Report of the Special Committee of the 4th March, 1817.

"Your Committee observe, that Mr. Bouchette *executed these maps under the* "*patronage of the Provincial Legislature*, and that he has thereupon sustained a loss of "£1,701 18s 2d., and is therefore of opinion that it is just to reimburse him a part of "his loss, and that it is even expedient to do so for the encouragement of the Arts, and of "the persons who may apply themselves thereto in the Province."

From the Report of the Committee of the 16th January, 1818.

"That these maps have been seized by the persons who assisted him in the publication. "The pecuniary means of the petitioner being inadequate to the advances necessary to "the undertaking, he relied much on the liberality of the Legislature, *the House having* "*in a Committee of the Whole, so early as the 24th February, 1814, resolved that he should be* "*aided with the sum of £1,500, to encourage the publication.*

Report of the Special Committee, 15th March, 1819.

"Your Committee have attentively examined the allegations of the said Petition, and "find them generally supported by the evidence on the Journals, of the House and the "examination of the witnesses reported by Special Committees on the 4th March, 1817, and "16th January, 1818.

"Your Committee is of opinion that *although the Resolution of the Committee of the* "*Whole House, of the 23rd February, 1814, was not acted upon during that Session,* "*which terminated on the 17th March following; yet the said resolution may have induced* "*Mr. Bouchette to expect assistance from the Legislature to that amount, for the publication* "*of his maps and contributed to his proceeding personally to England* in the ensuing "summer, for the purpose of superintending a work honored with such distinguished "patronage.

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"Notwithstanding the grant of £500 which was made to Mr. Bouchette, during the "ensuing Session of the Assembly—your Committee find, by the aforementioned evidence, "*that he has actually been a loser* by the publication of his maps and Topographical "account of Canada; your Committee, however, will not take upon itself to pronounce "that any further pecuniary compensation ought to be made to Mr. Bouchette out of the "public money; it is, however, of opinion that it would be an act of justice to that "gentleman, now that a work which the Legislature has unequivocally patronised is "completed, should that work be found worthy of such patronage, to afford the author "some public mark of approbation."

"Mr. Bouchette has submitted to your Committee, original documents, of which the "papers annexed, A. 1 to 6 inclusive, are true copies. These documents, in the opinion "of your Committee, show that the maps and Topographical account of Canada have

"been judged favorably of by some of the most distinguished and most competent "authorities in Great Britain, and in this point of view they must have contributed to "establish abroad a favorable opinion of the talents of the natives of Canada, *while they* "*also disseminate in the mother country additional information on the resources and* "*importance of the Colony.*"

"Your Committee is of opinion, considering the premises, the situation of Mr. "Bouchette as Surveyor General, and the probable advantages which must result to the "Crown, as well as to the Province, from the attention which Mr. Bouchette's work, will "naturally draw to the vast extent of waste lands therein, that it would be expedient to "address His Grace the Governor in Chief, praying that he would be pleased to recommend "Mr. Bouchette for a grant of the waste lands of the Crown.

On the 7th April, 1819, in Committee of the Whole House it was

"RESOLVED—That an humble address be presented to His Grace the Governor in "Chief, representing the importance of the Geographical and Topographical Maps of "Joseph Bouchette, Esquire, Surveyor General, and of the losses he has sustained in "publishing them, representing also *the importance of those maps, both to His Majesty's* "*Government and to the Province at large,* and praying His Grace would be pleased to "take the whole into consideration, and would be pleased to *indemnify him for his services* "and losses by such grant of the lands of the Crown, as His Grace in his wisdom may "think fit."

Message from the Governor in Chief, 28th February, 1821.

"DALHOUSIE, GOVERNOR."

"The Governor in Chief calls the attention of the House of Assembly to the "importance of the Geographical and Topographical Maps, made by Joseph Bouchette, "Esquire, Surveyor General, who states to have sustained a considerable loss in publishing "them.

"The Governor in Chief is of opinion that Mr. Bouchette's claim is *just and* "*reasonable,* but does not approve of remunerating him by a grant of land as was proposed "by the address of the Assembly of the 17th April, 1819. The Governor in Chief "therefore *trusts the House of Assembly will enable him to meet that claim.*

CASTLE OF ST. LOUIS, } D.
Quebec, 28th February, 1821. } G.

Report of the Committee to which the foregoing message was referred, 7th March, 1821.

"Your Committee, after full consideration of the matters referred, are of opinion on "the former, that Joseph Bouchette, Esquire, Surveyor General, hath made and published "Geographical Maps of the Province, which are of *important utility to His Majesty's* "*Government, and to the Province,* and that in the publication of those maps he hath "*incurred and sustained considerable losses,* and taking into consideration the "recommendation made by the House of Assembly of the Province to His Grace the Duke "of Richmond, Governor in Chief, in 1819, and the sentiments expressed at the time by "the House, relative to the services and losses of the said Joseph Bouchette, your "Committee are of opinion that there ought to be granted unto him a sum of £1,000, as "well as indemnify him for the losses he hath sustained in the publication of his maps, "as to encourage talent and useful undertaking in this Province."

HOUSE OF ASSEMBLY,
February 14th, 1827.

"Mr. Laterrière, from the Special Committee, to whom were referred the Entries in "the Journals of the House, relating to Joseph Bouchette, Esquire, Surveyor General, "reported that the Committee had come to an opinion thereon, which he was directed to "submit to the House whenever it shall be pleased to receive the same; and he read the "Report in his place, and afterwards delivered it in at the Clerk's Table, where it was "again read, as followeth:—

"Your Committee having examined the several Reports of the Special Committees "to whom Mr. Bouchette's petition was referred, and the several proceedings thereupon, "and having also examined several witnesses, the minutes of whose evidence are hereunto "subjoined, have agreed to make the following report:—

"It appears to your Committee that the said Joseph Bouchette, Esquire, Surveyor "General, of Lower Canada, has made and published Geographical Maps of the Province,

"which are of important utility to His Majesty's Government, and to the Provinces at "large.

"That in the publication of those Maps he has incurred considerable expenses, and "sustained great losses, and applied much labor, industry and skill.

"Your Committee, taking into consideration the circumstances under which this "undertaking was commenced, the manner in which it was completed, and the "recommendation made by the House to His Grace the Duke of Richmond, Governor in "Chief of this Province, on the seventeenth April, one thousand eight hundred and "nineteen, that the Petitioner should be indemnified for his services and losses; taking "also into consideration the Message of His Excellency the Earl of Dalhousie, of the "twenty-eighth of February, one thousand eight hundred and twenty-one, are of opinion "that there ought to be granted unto the said Petitioner, the sum of one thousand pounds, "as well to indemnify him for the losses he has sustained by the publication of his said "maps, as to encourage talent and useful undertakings in this Province."

MINUTES OF EVIDENCE.

CLAUDE DÉNÉCHAU, Esquire, appeared before your Committee, and stated as follows :—

In the Session of One thousand eight hundred and fifteen, I was a Member of the House of Assembly, I happened to be Chairman of the Committee of the Whole House on Mr. Bouchette's Petition for a grant of money in aid of his enterprise of publishing a General Map of Lower Canada. The sum granted, as will appear by the Statute, was Five hundred pounds, *which it was generally understood by the Members present, was in part payment of the Fifteen hundred pounds voted in One thousand eight hundred and fourteen.* When the Five hundred pounds were voted, the work was then going on, and *the balance of One thousand pounds, it was understood, was to be paid when the work should be completed.* I perfectly recollect that the then Speaker, the Honorable I. A. Panet, came up to me as I was leaving the chair of the Committee, and as he was proceeding to resume that of the House, said to me :—

"C'est bon, on donne à M. Bouchette les cinq cents louis, et s'il réussit, on lui "donnera les mille autres louis, car l'ouvrage sera bien intéressant pour le pays."

THOMAS LEE, Esquire, then appeared before the Committee, and was examined, as follows :—

Q. Have you any knowledge of the circumstances which led to and accompanied the application of Mr. Bouchette, Surveyor-General of the Province, to the House of Assembly, for a sum of money to aid him in the publication of his General Map of the Province ?

A. I was in the year One thousand eight hundred and thirteen, a Member of the House of Assembly for the County of Northumberland, and continued so till One thousand eight hundred and sixteen. I recollect that in the Session of One thousand eight hundred and fourteen, the subject of a General Plan of

the Province came under discussion in a Committee whereof Mr. Pepineau, Mr. Tashereau, and myself were members. *We proposed to send for Mr. Bouchette, Surveyor-General of the Province, as the fittest person to give correct information on the subject.* Mr. Papineau, in the course of the conversation, hearing, as well as Mr. Tashereau, that Mr. Bouchette had actually made a Map of the City of Quebec, and which he exhibited to us, asked Mr. Bouchette if it was possible to make a Map of the Whole Province upon a reduced scale. Mr. Bouchette answered, that if the means were afforded him it could be easily done, and that he even would extend that work to much advantage. That he was in possession of many plans, of which he had made a collection for several years past. Upon this, Messieurs Papineau and Tashereau and I inquired into the probable expense of such an undertaking. *It was then asked of Mr. Bouchette if One thousand five hundred pounds would defray the expense; to which Mr. Bouchette said, if the Legislature granted him One thousand five hundred pounds he would readily undertake the work.* The subsequent proceedings on this subject will be found in the Journals of the House.

Q. Have you any knowledge that Mr. Bouchette, after the passing of the resolution of One thousand eight hundred and fourteen, travelled through the Province with a view of obtaining more correct information of its topography?

A. I have a knowledge that he gave himself a great deal of trouble in visiting the different parts of the country, for the purpose of obtaining information to be employed in rendering his maps more accurate, and enable him to give the topographical account of the Province of Lower Canada, which he afterwards gave with his work.

Q. Did you understand that his topographical work was to form any part of the consideration for which the One thousand five hundred pounds were allowed?

A. It was understood that an explanatory pamphlet or memoir was to accompany the Map; *instead of which Mr. Bouchette gave the topographical historical work which is now before the public.*

Q. Did Mr. Bouchette fulfil the above engagement which he had entered into?

A. He did more than in strictness he was bound to do, and more than we had any right to expect.

Q. What were the circumstances under which, in One thousand eight hundred and fifteen, a sum of Five hundred pounds was voted by the Assembly to Mr. Bouchette, to aid him in the publication of the aforesaid mentioned maps?

A. Mr. Bouchette having left this Province in One thousand eight hundred and fourteen, and proceeded to England for the purpose of publishing his maps, I felt it due to him, without any particular solicitation on his part, to bring

Q. 3. continued

under the consideration of the House its Resolution of One thousand eight hundred and fourteen, holding out to him the assurance of One thousand five hundred pounds, as an aid in that work, and the subject was referred to a Committee of the Whole House. After discussion, it was agreed, almost unanimously, that a sum of Five hundred pounds should be granted to Mr. Bouchette, to meet his then present exigencies in the prosecution of the work, *with a decided understanding on the part of the Members of the House, that the One thousand pounds should be paid conformably to the Resolution of one thousand eight hundred and fourteen, as soon as the work should be completed.*

On motion of Mr. LATERRIÉRE, seconded by Mr. DE ST. OURS,

Ordered, That the said Report be referred to a Committee of the Whole House.

Resolved, That this House will, upon Monday next, resolve itself into a Committee of the Whole House on the said Report.

PROVINCIAL PARLIAMENT OF LOWER CANADA, FEBRUARY 19, 1827.

HOUSE OF ASSEMBLY—DEBATES—COLONEL BOUCHETTE'S CASE.

Speech of Andrew Stuart, Esq., on introducing the measure.

Mr. A. Stuart, the mover of the measure, said he would not trespass at any length upon the time of the House, but confine himself to a simple statement of the question, which would suffice to establish the justice of the claim submitted to this House by Mr. Bouchette. It was not a favor which he expected at the hands of the House, but an act of mere justice. In 1813, the want of Maps of the country was much felt; the House took up the question, and it was resolved, that it was expedient to vote a sum of £1500 for that object, in view of the magnitude and importance of the enterprise, which assuredly was one beyond the resources of a single individual. This is what had been done under similar circumstances, by our neighbors in the United States, when the several Legislatures had largely encouraged the publication of similar Maps. In 1814, Mr. Bouchette offers to the House, by Petition, to take charge of such an undertaking, and represents that to accomplish it, a sum of £1,500 was necessary; it was thereupon resolved to vote in General Committee, in accordance with the recommendation made by a Special Committee, of which two of the Hon. Members now present, were members—the sum of £1,500 pounds. *This was a formal grant*, and it was in furtherance and under the sanction of this grant that Mr. Bouchette went to England where he remained during two years, closely engaged in the achievement of his arduous task, the completion of his Map of the Country. The House had granted *by Bill* the sum of £500. It was a laudable prudence, on the part of the House, to have granted in this way but a part of the sum voted, and to await the completion of the work for the payment of the balance. It was not therefore until the work was completed, that Mr. Bouchette had presented his claim for the balance of a sum which he did not ask at our hands as a charity, but as a thing due in honour after the pledge given by the House in the Resolution adopted by it in General Committee. The House had never pronounced itself against the claim. All the Committees, on the contrary, to which the matter had been referred, had all concurred in urging the House to accede to Mr. Bouchette's application. The question was unfortunately always brought up towards the close of the Session, the multiplicity of affairs had not permitted the House to take it up, and come to a definite conclusion on the

subject, and the measure had been lost for want of quorum. The House was no doubt blameless for this result—it was a mere accident. He (Mr. Stuart), could not for a moment believe that there was in it any design, and that it proceeded from the apprehension of a majority—the existence of such a motive must be rejected as equally degredatory to the House and to individual members. He would dwell no longer upon the subject, and would leave the House to determine whether a useful and laborious citizen, who had devoted his talents to the advantage of his country, deserved well of the country so served.

The Hon. Member then moved the Resolution to grant £1,000 to Colonel Bouchette, and towards the encouragement of Arts and Sciences.

On a division the vote stood,

Yeas, 16.
Nays, 19.

Extrait de "La Biographie Nouvelle des contemporains ou Dictionnaire historique et raisonné, etc," par MM. Arnault, Jay et Jouy.—Paris 1821.—Vol. 3.

BOUCHETTE, (JOSEPH) Lieutenant-Colonel au service d'Angleterre et directeur général au Cadastre du Bas-Canada, est nè dans cette partie de l'Amèrique Septentrionale. On estime gènéralement les cartes qu'il a levées, à cause de leur parfaite exactitude. Tous ceux qui se livrent à l'etude de la géographié désireraient dans l'intérét de cette science, que les différentes parties de l'Europe fussent décrites et dessinées avec le méme soin. M. Bouchette a publié en anglais une excellente *Description topographique de la province du Bas-Canada, accompagnée de différentes vues, plans de forts, batailles, etc.*, in 8o, 1815.

Translation.

BOUCHETTE, (JOSEPH) Lieutenant Colonel in the service of England, Surveyor General of Lands of the Province of Lower Canada, was born in that part of North America. His maps are generally prized on account of their perfect accuracy. All those who devote themselves to the study of geography, would wish in the interest of that science, that the different parts of Europe were described and delineated with the same care. Mr. Bouchette has published in English an excellent *Topographical description of the Province of Lower Canada, accompanied by different views, plans of forts, battles, &c.*, in 8vo., London, 1815.

Lt. Colonel Bouchette's maps & book were honored in 1815 by the Special Notice of the Society Arts & Sciences of London: He was presented with the Gold Isis Medal & elected a corresponding Member of that Society.